

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-4 and 17-30 are pending in the application, with claims 1 and 2 being the independent claims. Claims 5-16 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein. It is believed that the amendment presented above will place the application in condition for allowance and/or in better form for appeal. *See* 37 C.F.R. § 1.116(a). These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

I. Obviousness-Type Double Patenting

Claims 1-30 were rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1-16 of U.S. Patent No. 5,972,634. *See* Office Action at page 2. Although Applicants respectfully disagree with this rejection a Terminal Disclaimer over U.S. Patent No. 5,972,634 is being submitted herewith. The rejection for obviousness-type double patenting has therefore been fully accommodated and should be withdrawn.

II. Claim Rejections Under 35 U.S.C. § 112, First Paragraph

Claims 5-16 were rejected under 35 U.S.C. § 112, first paragraph, for lack of enablement and insufficient written description. *See* Office Action at pages 2 and 3. Applicants respectfully traverse these rejections for the reasons set forth in the Reply Under 37 C.F.R. § 1.111, filed on July 7, 2003. Nevertheless, solely to expedite allowance of the application, claims 5-16 have been cancelled. The rejections under 35 U.S.C. § 112, first paragraph, are therefore moot.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Frank R. Cottingham". The signature is fluid and cursive, with a large, stylized "F" and "C".

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Date: JULY 2, 2004

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